

1 2003Mazda.MFO

2 LEONARDO M. RAPADAS  
United States Attorney  
3 KARON V. JOHNSON  
Assistant U.S. Attorney  
4 Suite 500, Sirena Plaza  
108 Hernan Cortez Avenue  
5 Agana, Guam 96910  
Telephone: (671) 472-7332/7283  
6 Telecopier: (671) 472-7334

7 Attorneys for United States of America

**FILED**  
**DISTRICT COURT OF GUAM**

FEB 04 2008 *mba*

**JEANNE G. QUINATA**  
**Clerk of Court**

8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE TERRITORY OF GUAM**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 ONE 2003 MAZDA PROTÉGÉ  
AUTOMOBILE,  
15 VIN JM1BJ245X31205914,

16 Defendant.

CIVIL CASE NO. 07-00022

**UNITED STATES' MOTION FOR  
FINAL ORDER OF FORFEITURE**

17  
18 COMES NOW the United States of America, by and through Leonardo M. Rapadas,  
19 United States Attorney for the Districts of Guam and the Northern Mariana Islands, and Karon V.  
20 Johnson, Assistant United States Attorney for the District of Guam, to respectfully move this  
21 Honorable Court for a Final Order of Forfeiture in the above-captioned case, and in support  
22 thereof represents to the Court the following facts:

- 23 1. That on October 22, 2007, a Preliminary Order of Forfeiture was filed with this Court.  
24 2. That on October 25, 2007, a filed copy of the Motion of the United States for a  
25 Preliminary Order of Forfeiture, a filed copy of the Preliminary Order of Forfeiture and a copy of  
26 the government's Legal Notice were mailed to the registered owner of said vehicle, Darrell S.

1 Stewart at Apartment No. 307, Hillside Apartments, Harmon, Guam 96913, by Certified Mail  
2 Receipt No. 7001 2510 0006 8488 2385, Return Receipt Requested.

3 3. That on November 6, 2007, said Certified Mail was returned to this office by the  
4 United States Post Office due to insufficient address.

5 4. Pursuant to 21 U.S.C. § 853(n), third parties asserting a legal interest in the above-  
6 described forfeited properties are entitled to a judicial determination of the validity of the legal  
7 claims or interests they assert.

8 5. The United States published a Legal Notice, in compliance of notification of the  
9 Court's Preliminary Order of Forfeiture, in the Pacific Daily News, a newspaper of general  
10 circulation on December 18, 2007. Said published Legal Notice advised all third parties of their  
11 right to petition the Court within thirty (30) days of the publication date for a hearing to  
12 adjudicate the validity of their alleged legal interest in the forfeited property.

13 6. That the last day for any claimant to file a claim was January 17, 2008.


14 7. No other third party has made a claim to or declared any interest in the above-  
15 described forfeited property.

16 **WHEREFORE**, the United States moves this Court for a Final Order of Forfeiture  
17 declaring the defendant property, a 2003 Mazda Protégé Automobile, VIN JM1BJ245X31205914  
18 be forfeited as to all parties and vesting full right, title and interest of the defendant property, a  
19 2003 Mazda Protégé Automobile, VIN JM1BJ245X31205914 to the United States and directing  
20 the United States Marshal to dispose of the defendant property according to law.

21 Respectfully submitted this 4<sup>th</sup> day of February, 2008.

22 LEONARDO M. RAPADAS  
23 United States Attorney  
24 Districts of Guam and the NMI

25 By:

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27 KARON V. JOHNSON  
28 Assistant U.S. Attorney